



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 010340

Introduced May 10, 2001

**Councilmember Tasco
(By Request)***

**Referred to the
Committee on Public Health and Human Services**

AN ORDINANCE

Amending Section 10-602 of The Philadelphia Code with respect to smoking on any vehicle of public transportation and in any public transit station or fare-paid area and increasing the amount to be paid in response to a violation notice to waive court appearance; amending Section 10-605 of the Code to increase the penalty for consuming food or beverages on a vehicle of public transportation; amending Section 10-606 of the Code to clarify the penalties for violations under Chapter 10-600; and amending Section 10-609 of the Code with respect to urination or defecation on a vehicle of public transportation; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-600 of The Philadelphia Code is amended as follows:

CHAPTER 10-600. PUBLIC PLACES – PROHIBITED CONDUCT

* * *

§10-602. Smoking.

(1) No person shall smoke or carry a lighted cigar, cigarette, or pipe or use any match, flame, or fire-producing device in any:

(a) vehicle of public transportation or in any fare-paid areas and any indoor areas of commuter rail or other transit stations or terminals owned, operated or controlled by [the Southeastern Pennsylvania Transportation Authority] *a public authority or agency*, except in an indoor area within such stations or terminals where such conduct may be specifically designated by the [Authority] *owner* to be permitted.

*Information on file in Room 402 City Hall

City of Philadelphia

BILL NO. 010340 continued

* * *

(3) *The amount required to be remitted in response to a Code Violation Notice issued pursuant to Section 1-112 of the Code to enforce this Section is one hundred (100) dollars.*

* * *

§10-605. Food or Beverage on Vehicles of Public Transportation.

(1) No person shall consume any food or beverage aboard any vehicle of public transportation, including any train, bus, trolley, trackless trolley or subway vehicle except that this restriction shall not apply to the consumption of food or beverages on vehicles of public transportation that have dining facilities on board.

(2) No person shall leave papers, beverages, food, or food wrappers on or about any part of any vehicle or station of public transportation except in receptacles provided for the disposal of trash.

(3) *The penalty for violation of this Section shall be a fine not exceeding three hundred (300) dollars.*

§10-606. Penalties.

(1) The penalty for violation of any provision of this Chapter is a fine not exceeding \$25.00, *except where otherwise specifically provided, and* with the exception of any violation committed under the provision of Section 10-602 Smoking or Section 10-604 Alcoholic Beverages, in which case the fine shall not exceed \$300.00, together with imprisonment not exceeding 10 days if the fine, together with costs, is not paid within 10 days.

* * *

§10-609. Public Urination or Defecation.

* * *

City of Philadelphia

BILL NO. 010340 continued

(2) Prohibited Conduct. It shall be unlawful for any person to urinate or defecate on any public right-of-way, underground platform or concourse, elevated platform serving public transportation facilities, underground or elevated passageways used by the public, railroad or railway passenger stations or platforms, or on the steps leading to any of them, *vehicle of public transportation*, or on any private property used to accommodate the public, or on any private property without the permission of the owner.

* * *

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

City of Philadelphia

BILL NO. 010340 continued